SINGLE BENCH

(3)

CF1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (S) NO. 5324 OF 2006

PETITIONER : Dhaniram Baghel Son of Shri Balaram Baghel, aged about 36 years, Presently working as Assistant Grade-III, Janpad Panchayat Bhairamgarh, District South Bastar Dantewada (C.G.).

P.R. No. 559 5357/06
Presented by Shri S P Sahu
dated 25/9/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of Tribal Welfare, D. K. S. Bhawan, Raipur (C.G.).

2. The Director, Tribal Development, Raipur (C.G.).

3. The Collector, South Bastar, Dantewada (C.G.).

4. The Assistant Commissioner, Tribal Development, Raipur (C.G.).

5. The Chief Executive Officer, Janpad Panchayat Bhairamgarh, District South Bastar Dantewada (C.G.).

24/9/06

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25/9/06
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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER/ORDERS, DIRECTION/DIRECTIONS.

S3

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5324 of 2006

Petitioner: Dhaniram Baghel

Versus

Respondents: State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri P. P. Sahu, Advocate for the petitioner.
Shri Ajay Dwivedi, Panel lawyer for the Respondents No. 1 to 4.
None for the respondent No.5.

ORDER

(4th October, 2006)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. According to learned counsel for the petitioner, the petitioner who was employed as Assistant Grade-III in the office of the Janpad Panchayat Bhairamgarh, District- South Bastar, Dantewada, was transferred to Government Higher Secondary School Konta vide order dated 7.7.2006 (Annexure P/2). Learned counsel submits that the petitioner has been working in the naxalite infested area for the last 15 years. Accordingly the petitioner made a representation to the Collector South Baster, Dantewada. The said representation was referred to the concerned Minister i.e. the Chief Minister, State of Chhattisgarh. During the pendency of the representation the respondent No.5 vide order dated 22.9.2006 (Annexure P/4) directed to the petitioner to handover the charge of the post, immediately and to proceed to the new place of posting at Konta.

2. Learned counsel for the petitioner submits that the impugned order dated 22.9.2006 be not given effect to till the disposal of the representation pending before the Chief Minister. Learned counsel for the respondents/State has no objection to the submissions made by the petitioner.

3. Having heard learned counsel for the parties and having regard to the limited prayer made by learned counsel for the petitioner it is directed that in the event, the representation is pending consideration before the Chief Minister, State of Chhattisgarh, the impugned order dated 22.9.2006 shall remain stayed till the disposal of the pending representation.

4. With the above observation this matter stands disposed of.

Sd/-
Satish K.Agnihotri
Judge

Thakur